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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14 v.
15 OCTAVIO MENDOZA, JR.,
16 Defendant.

Case No. 3:20-CR-00048-HDM

**ORDER GRANTING
STIPULATION TO
CONTINUE SENTENCING
HEARING
(SECOND REQUEST)**

17 IT IS HEREBY STIPULATED AND AGREED by and through RENE L.
18 VALLADARES, Federal Public Defender and KATE BERRY, Assistant Federal Public
19 Defender, counsel for OCTAVIO MENDOZA, JR. and CHRISTOPHER CHIOU, Acting
20 United States Attorney, and ANDOLYN JOHNSON, Assistant United States Attorney, counsel
21 for the UNITED STATES OF AMERICA, that the Sentencing hearing set for September 14,
22 2021, at 10:30 AM, be vacated and continued to November 2, 2021, at 10:00 AM.
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The continuance is necessary for the following reasons:

1. This is a joint request by counsel for the Government and counsel for the Defendant, Mr. Mendoza.

2. The additional time requested by this Stipulation is reasonable pursuant to Federal Rule of Criminal Procedure 32(b)(2), which states that the “court may, for good cause, change any time limits prescribed in this rule.”

3. Both counsel request this additional time in order to allow adequate time to research sentencing issues and to prepare for the sentencing hearing.

4. Mr. Mendoza is detained and agrees to the continuance. Specifically, Mr. Mendoza was informed that the continuance will allow defense counsel to continue to gather documents in support of the hearing and provide continuity of counsel.

5. This is the second request for continuance of the sentencing hearing.

DATED this 31st day of August, 2021

RENE L. VALLADARES
Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

By /s/ Kate Berry
KATE BERRY
Assistant Federal Public Defender
Counsel for
OCTAVIO MENDOZA, JR.

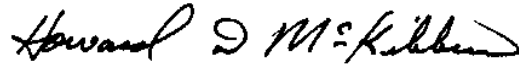
By /s Andolyn Johnson
ANDOLYN JOHNSON
Assistant United States Attorney
Counsel for the Government

ORDER

Based on the Stipulation of counsel, and good cause appearing,

IT IS THEREFORE ORDERED that the Sentencing Hearing currently set for September 14, 2021, at 10:30 a.m. be vacated and continued to **November 2, 2021, at 10:00 a.m. in Reno Courtroom 4 before Judge Howard D. McKibben. IT IS SO ORDERED.**

DATED this 2nd day of September, 2021.



HOWARD D. McKIBBEN
Senior United States District Judge